

REMARKS

Entry of this Amendment, reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-4 and 6-11, as shown above remain pending herein.

Claims 1, 6 and 11 stand rejected under 35 U.S.C. §103(a) in view of Linder (WO 98/01956, previously of record). Applicants respectfully traverse this ground of rejection.

Applicants have clarified in base claims 1 and 11 that a plurality of different background noises are received by the microphone that primarily receives the speech, and that at least two additional audio inputs receive the at least two audio source signals, respectively. Support for these changes are clearly disclosed in the specification at least at page 6, lines 11-13. The respective audio source signals (at least two of them) each recorded by a respective input, are used to cancel the audio source signal picked up by the microphone used to record the primarily speech information.

Applicants respectfully submit that Linder is no different that Applicants' discussion in the Background of the Invention section, wherein a single microphone is arranged to pick up all the noise (audio source signals) that is then subtracted from the audio signal (the speech). The pages cited of Linder in the Final Office Action only disclose one microphone or input to pick up one background noise. In Linder, there is no discussion of how multiple noises, would be handled, but presumably, the composite noise recorded by one microphone would favor the noise that is loudest to the particular

microphone, even if the microphone picking up primarily speech might sense a different noise as being louder, due to the spatial arrangements. In Linder noise from a single microphone is subtracted from the audio signal.

In contrast, the presently claimed invention recites arranging at least two microphones for the audio source signals comprising a plurality of different background noises. In other words, in the presently claimed invention, for each type of noise, for example, such as in a home theatre system, there can be a plurality of respective microphones (additional audio inputs) to record the plurality of particular noises, respectively, and then each of these noises is subtracted/cancelled from the audio signal (speech).

Linder completely fails to disclose or suggest why a person of ordinary skill in the art should arrange two or more additional audio inputs (microphones) to respectively record each type of background noise so it can be subtracted/cancelled from the speech.

The presently claimed invention was the first to recognize that, for example, a speech recognition apparatus does not have to be strictly coupled to one sound (audio/noise) producing apparatus, like a surround sound amplifier, but can work with any desired number of sound producing apparatuses (please see the instant specification at page 2, lines 13-29). The presently claimed invention is particularly advantageous in, for example, an open office design, where multiple users might be speaking simultaneously. By arranging additional microphones as close to the source of each of the plurality of different background noises, the speech can be "cleaner" than realized by a single noise input approach realized by the device in Linder.

For at least the above reasons, it is respectfully submitted that none of claims 1, 6 or 11 would have been obvious to a person of ordinary skill in the art in view of Linder. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 1 and 7 stand rejected under 35 U.S.C. §103(a) over Eriksson (U.S. 5,033,082) in view of Linder. For many of the same reasons indicated above, the amendments to claims 1 and 7 clarify the claimed invention such that the combination of Eriksson and Linder fails to disclose the constitution of the audio signals that are primarily background noise and the audio signal input to the microphone that is primarily a speech signal and some background noise. The combination of Eriksson and Linder fails suggest or motivate the artisan such that either of claims 1 or 7 would have been obvious at the time of invention. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 2, 3 and 8 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Eriksson (U.S. 5,033,082) in view of Linder, and further in view of Houser et al. (U.S. 5,774,859 hereafter "Houser"). Applicants respectfully traverse this ground of rejection.

As base claims 1, 7 and 11 are believed to allowable for the reasons indicated above, and as such claims 2, 3 and 8 are also believed allowable at least for their dependency on an allowable base claim, Applicants respectfully submit that the addition of Houser to the combination of Eriksson and Linder still fails even to disclose or suggest Applicants base claims. For at least this reason, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §103(a) over Eriksson in view of Linder and further in view of Allen et al (U.S. 5,485,515 hereafter "Allen"). Applicants respectfully submit that for the reasons indicated above that base claims 1, 7 and 11 are believed to allowable, and as such claim 4 is also allowable at least for dependency on an allowable base claim 1. The combination of reference still fails even to disclose or suggest Applicants' base claims. Reconsideration and withdrawal of this ground of rejection are respectfully requested

Claims 9-10 stand rejected under 35 U.S.C. §103(a) over Eriksson, in view of Linder and Houser et al. (U.S. 5,744,859, hereafter "Houser"), and further in view of Allen. Applicants respectfully traverse this ground of rejection.

It is respectfully submitted that for the reasons indicated above that base claims 1, 7 and 11 are believed to allowable, and as such claims 9 and 10 depend from base claim 7, so said claims are believed to be allowable at least for their dependency on an allowable base claim. The combination of Eriksson, Linder, Houser and Allen still fails to meet the base claims from a standpoint of 35 U.S.C. §103(a), let alone disclose or suggest claims 9-10. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski
Registration No. 42,079



Date: February 13, 2004

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Dan Piotrowski, Registration No. 42,079
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on 2/13/2004.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)